

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 16-30 are presently active in this case. Claims 1-15 were cancelled by a Preliminary Amendment. The present Amendment amends Claims 16-30 without introducing any new matter.

The outstanding Office Action objected to the specification because of informalities. Claims 22, 25, 28, and 30 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 16, 21, 23-24, 26-27, and 29 were rejected under 35 U.S.C. § 102(b) as anticipated by Bonnefort et al. (U.S. Patent No. 5,666,836, hereinafter "Bonnefort"). Claims 17-20 were indicated as allowable if rewritten in independent form.

Applicant acknowledges with appreciation the indication of allowable subject matter.

In response to the rejection of Claims 22, 25, 28 and 30 under 35 U.S.C. § 112, second paragraph, to correct minor formalities, and to better comply with U.S. claim drafting practice, Claims 16-30 are amended. In Claims 22, 25, 28 and 30 the expression "slaving" is replaced by using the term "configured to control." No new matter has been added. In view of amended Claims 16-30, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language. Applicant also respectfully submits that the changes to the claims are not intended to address the rejection formed under 35 U.S.C. § 102(b).

In response to the rejection of Claims 16, 21, 23-24, 26-27, and 29 under 35 U.S.C. § 102(b), Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

Briefly recapitulating, Claim 16 relates to a method of increasing precision in controlling a path of a product through a roller leveler. The method comprises, *inter alia*: presetting the imbrications of the rolls by using a presetting model including a reference value for presetting the imbrications; measuring an absolute separation value of the leveling rolls during leveling, and comparing the value with a reference value; and setting the position of the leveling rolls to keep the measured value equal to the reference value ***so as to keep the path of the product to be leveled in the leveler in accordance with an undulation of the leveled product predicted by the presetting model.***

Turning now to the applied reference, Bonnefort describes a process for smoothing a metal strip having a stretcher-and-roller leveling planisher. (Bonnefort, Abstract, Fig. 1.) Bonnefort's process uses a multi-roller leveling assembly 5 including two chassis each supporting a row of parallel rollers that can be offsetted longitudinally and in height. (Bonnefort, col. 5, ll.28-44. Fig. 1, elemens, 5, 50, 50', 51, 52.) Bonnefort further explains that by imbrication of the rollers an undulating feed path of the strip with reverse bendings is set. (Bonnefort, col. 2, ll. 38-41, Claim 1, ll. 8-9.) In other words, Bonnefort merely explains that the metal strip that is processed by the stretcher-and-roller mechanism is subjected to an undulation by virtue of the imbrication of the rollers. But this feature does not read upon Applicant's Claim 16 feature to recite "setting the position of the leveling rolls ... so as to keep the path of the product to be leveled in the leveler in accordance with an undulation of the leveled product predicted by the presetting model." In Bonnefort, there is no prediction of an undulation based on a model. Bonnefort merely mentions a process control system 8 the generates a position reference value for positioning means 71-75 based on mathematical model 80 based on the nature of the product, the quality and fault codes, thickness, width, and destination. The mathematical model 80 of Bonnefort clearly does not predict an undulation of the product, as required by Applicant's Claim 16.

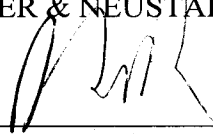
Therefore, the applied reference fail to teach or suggest every feature of Applicant's claims, so that Claim 16 is believed to be patentably distinct over Bonnefort. All remaining Claims 17-40 are believed to be allowable by virtue of their dependency upon independent Claim 16. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Bonnefort.¹

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 16-30 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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¹ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."